

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

**ENTERED**

March 21, 2016

David J. Bradley, Clerk

MELQUIADES MENDIOLA, JR.,

Petitioner,

VS.

WILLIAM STEPHENS,

Respondent.

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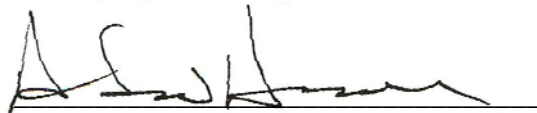
CIVIL NO. B-14-261

**ORDER**

On February 23, 2016, the United States Magistrate Judge filed a Report and Recommendation [Doc. No. 40]. Petitioner has objected [Doc. No. 43] to said Report and Recommendation.

Having considered *de novo* the Magistrate Judge's Report and Recommendation and the issues raised by Petitioner's objections, the Court hereby adopts the Report and Recommendation. Therefore, Melquiades Mendiola, Jr.'s petition for writ of habeas corpus by a person in state custody pursuant to 28 U.S.C. § 2254 is dismissed for being untimely filed and lack of jurisdiction. Further, the Court denies the issuance of a Certificate of Appealability.

Signed this 21<sup>st</sup> day of March, 2016.



Andrew S. Hanen  
United States District Judge